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Confederated Salish & Kootenai Tribes  
Shoreline Protection Office  
P.O. Box 278 Pablo, MT 59855  
(406) 883-2888, extension 7222  
(406) 883-2895 Fax; e-mail danl@cskt.org



TRIBAL APPLICATION FOR THE ALTERATION OF  
AQUATIC LAND OR WETLAND ON THE FLATHEAD RESERVATION

Other laws may apply. It is your responsibility to obtain all necessary permits before beginning work.

Date received: \_\_\_\_\_ Rights Protection Number: \_\_\_\_\_  
Shoreline Protection #: \_\_\_\_\_ Corps Action ID Number: \_\_\_\_\_  
Beginning of proposed project: 08/11/2008 Completion of proposed project: 09/11/2008

☒ New      ☐ Construction      ☐ Maintenance      ☐ Existing      ☐ Repair      ☐ Other

1. Application administration fee: \$25.00 check number: \_\_\_\_\_ receipt number: \_\_\_\_\_

Applications will be considered incomplete and will not be processed until payment is received.

2. Landowner: Dennis Arnold, Ron Kohler, Tom Jones, Debra Sykes Contractor: Environmental Partners, Inc.

Address: Lot 13, 14, 15 of East Bay Subdivision Address: 295 NE Gilman Blvd, Ste 201 Issaquah WA 98027

City/State/Zip Polson, MT 59860 Phone #: 425-395-0010

Business Phone #: N/A Home Phone #: Ron Kohler (East Bay President) (406) 887-2908 Fax #: N/A

3. Project location: Please include a project location map. See Attached Figure 1

Street, road, or other descriptive location: Mile marker 5.2 Highway 35

Name of closest water source (lake, creek, etc.): Flathead Lake

Nearest town: Polson County: Lake

Section: 33 Township: 23N Range: 19W

4. Check primary purpose of the project

- |  |  |  |
|--|--|--|
| <input type="checkbox"/> Stream Crossing             | <input type="checkbox"/> Utilities             | <input type="checkbox"/> Irrigation project                                |
| <input type="checkbox"/> Bridge                      | <input type="checkbox"/> Culvert               | <input type="checkbox"/> Dam maintenance                                   |
| <input type="checkbox"/> Road const/maintenance      | <input checked="" type="checkbox"/> Excavating | <input type="checkbox"/> Fish/wildlife devise                              |
| <input type="checkbox"/> Bank stabilization          | <input type="checkbox"/> Core drilling         | <input type="checkbox"/> Stream restoration                                |
| <input type="checkbox"/> Flood protection            | <input type="checkbox"/> Placement of fill     | <input type="checkbox"/> Spring development                                |
| <input type="checkbox"/> Channel alteration          | <input type="checkbox"/> Waterlines            | <input type="checkbox"/> Structure maintenance                             |
| <input type="checkbox"/> Pond: fish/irrigation/stock | <input type="checkbox"/> Wetland alteration    | <input checked="" type="checkbox"/> Other <u>Environmental Remediation</u> |

If the application is for an annual maintenance permit, an annual plan of operation must be attached. Subject to EPA order

## 5. Measurements

For each activity, give overall height, length, width and depth (in feet), in columns 1,2,3, and 4. For multiple activities, give total area of disturbance in square feet in column 6. For activities in waterways, give maximum distance channel-ward in column 5. For dam or small ponds, give average depth (in feet) for the completed project in column 4. Give the volume of fill or excavated material in column 7.

MEASUREMENTS	Height (ft)	Length (ft)	Width (ft)	Depth (ft)	Maximum/avg bed/bank encroachment	Area Sq.Ft.	Volume of fill/excavation material (cubic yards)
Bank Stabilization							
Bridge/culvert removal or repair							
Dam maintenance							
Diversion structures							
Diverting barb							
Excavation	N/A	210	80	6(average)	20-80 ft	16,800	~3,800cy
Fill							
Fish/wildlife enhancement device							
Hydropower project							
Repair /maintenance							
Rip-rap							
Stream crossing (bridges, culverts)							
Spring development							
Stream restoration							
Utilities	N/A	660	5	6	20-80ft	3,300	~730cy
Weirs							
Wetland restoration or alteration							

6. Describe in detail the proposed project, type of equipment and attach an engineered design and work plan:

Excavation of Petroleum-contaminated soils (PCS) and ground water treatment trench installation from Lots 13, 14 and 15 in the East Bay Subdivision resulting from gasoline spill on Highway 35 on April 2, 2008. Excavation will be performed using track-mounted excavators. See attached description.

7. Will equipment be required to enter waterway?

☐ yes ☒ no

8. List the equipment and vehicles other than hand tools to be used: Track-mounted and rubber tire excavating equipment, heavy dump trucks

9. List the type, quantity and source of materials to be utilized (gravels, rocks, wood etc.):

~4,400 c.y. pea gravel, ~310 c.y. top soil

10. Check one or more of the following that describes the type of wetland/waterway where you are proposing the activity:

- ☐ Wetlands  
☐ In-stream channel  
☐ 100-year floodplain (outside stream channel)  
☐ River, lake, pond, reservoir

- ☐ Spring or Seep  
☐ Irrigation Canal  
☐ Agriculture land  
☒ Other Upland lake sediments

11. Will the project involve placement of fill material in reservation waters? (including but not limited to lakes, rivers, streams including intermittent streams, mudflats, wetlands, sloughs, potholes and ponds) If yes, describe. How many cubic yards of fill and how much wetland area will be filled in acres? NO

12. Mitigation plans: (Required if yes to #11) Describe the proposed work to replace and revegetate aquatic lands (i.e. wetlands, ponds, etc.) including drawn plans. This will require a 3:1 replacement ratio based on the Tribe's Wetland Conservation Plan.

N/A, No aquatic plants will be removed

13. Is your project located in the vicinity of historic or cultural areas? (for example: archaeological sites, Indian or non-Indian cultural artifacts). ☐ yes ☒ no ☐ unknown

14. Are there threatened or endangered species present in the project vicinity (i.e. bull trout, grizzly bears, bald eagles, wolves, etc)? ☐ yes ☒ no ☐ unknown

15. Has any agency denied approval for activity described herein or for any activity related to the activity described herein? ☐ yes ☒ no

16. Other helpful data that describes the site and activity:

- A. ☐ Soil borings  
B. ☐ Wetland data sheets

- C. ☐ Photographs  
D. ☐ Field surveys

- E. ☐ Alternative site analysis  
F. ☐ Site map

Other (explain) Draft EPA Work Plan (Attached)

17. Describe techniques that will be used to lessen the impacts of proposed project? (i.e. silt fence, straw bales, buffer area, erosion control fabrics, geotextile traction mats, etc.) and where they will be placed \_\_\_\_\_

Silt fence will be placed within 10 feet along Flathead Lake  
shore (see attached figure). No work within 20 feet of high  
water shoreline.

18. List adjacent landowners: (the permitting agency may contact these landowners.)

Gary and Marjory Knudsen, East Bay Subdivision Common Area

19. CERTIFICATION:

I certify that the information on this form and on the attached plans and specification is true and accurate to the best of my knowledge and belief. I understand that any of the agencies involved in authorizing the proposed works may request information in addition to that set forth herein as may be deemed appropriate in considering this proposal. I grant permission to the agencies responsible for authorization of this work, or their duly authorized representative, to enter the project site for inspection purposes during working hours. I will abide by the conditions of the permit or license if issued and will not begin work without the appropriate authorization. I also certify that the proposed works are consistent with guide to the streamside management and forestry best management practices. I understand that none of the information is to be considered confidential under applicable laws. I further understand that failure of the landowner to sign the application will result in the application being deemed incomplete.

I hereby designate and authorize the applicant named below to act in my behalf in the processing of this application and to furnish any information that is requested.

APPLICANT'S SIGNATURE: Thomas C. Meri DATE: 7/10/08

LANDOWNER MUST SIGN: (Multiple Signatures. See Attached) DATE: \_\_\_\_\_

Is your application complete? Incomplete applications will be returned for completion.

- ✓ Has the owner signed the application?
- ✓ Did you include an engineered design and work plan of your proposal?
- ✓ Have you included the application fee?
- ✓ Have you included a project location map?

All complete applications will require a minimum 30-day technical review and comment period before being submitted to the Shoreline Protection Board at their next regularly scheduled meeting. Meetings are the 2<sup>nd</sup> Friday of each month.